



UNIVERSITY OF TORONTO
FACULTY OF LAW

BORA LASKIN LAW LIBRARY



3 1761 095641676

INTERNATIONAL TRADE REGULATION

Volume 3

2013-2014

Michael Trebilcock

STORAGE

K
3842
.T733
2013
v.3
c.1

BORA LASKIN LAW LIBRARY

SEP - 3 2013

FACULTY OF LAW
UNIVERSITY OF TORONTO

INTERNATIONAL TRADE REGULATION

Volume 3

2013-2014

Michael Trebilcock



Digitized by the Internet Archive
in 2018 with funding from
University of Toronto

https://archive.org/details/internationalra03treb_5

INTERNATIONAL TRADE REGULATION

2013

Michael Trebilcock

VOLUME 1

1) The Evolution of Trade Theory and Policy

Michael J. Trebilcock, *Understanding Trade Law*, (Edward Elgar, 2011) (hereinafter Trebilcock *op. cit.*), Chapter 1

Michael Trebilcock, “Searching for Hope: The Countries that Globalization Has Left Behind” (2008) 46 *Canadian Business Law Journal*: 184-98.

Michael Trebilcock, “Critiquing the Critics of Economic Globalization” (2005) 1 *Journal of International Law and International Relations*: 213-238

Dani Rodrik, *The Globalization Paradox*, (W.W. Norton & Company, Inc., 2011), Introduction and Chapter 12.

2) Dispute Settlement and Institutional Infrastructure

Trebilcock, *op. cit.*, Chapter 2

Kara Leitner and Simon Lester, “WTO Dispute Settlement 1995-2012: A Statistical Analysis,” 16(1) *Journal of International Economic Law* (2013): 257-267.

WTO, “Understanding on Rules and Procedures Governing the Settlement of Disputes,” in *The WTO Dispute Settlement Procedures* (Geneva: World Trade Organization, August 1995)

Joost Pauwelyn, “The Transformation of World Trade” 104 *Michigan Law Review* (2005): 1-65.

3) Non-Discrimination: The Most Favoured Nation Principle and Preferential Trade Agreements

Trebilcock, *op. cit.*, Chapters 3 and 4

WTO, *European Communities – Conditions for the granting of Tariff Preferences to Developing Countries*, Report of the Appellate Body (2004) [EU-India dispute]

Adrian M Johnston & Michael J. Trebilcock, “The Proliferation of Preferential Trade Agreements: The Beginning of the End of the Multilateral Trading System” in Stephan Schill, ed, *Preferential Trade and Investments* (forthcoming 2013, Nomos Publishers)

4) Non-Discrimination: The National Treatment Principle

Trebilcock, *op. cit.*, Chapter 5

WTO, *Japan – Taxes on Alcoholic Beverages*, Edited Appellate Body Report (1996).

1 - 1

1 - 8

1 - 35

2 - 1

2-32

3 - 1

3 - 42

4 - 1

WTO, *European Communities – Measures Affecting Asbestos and Asbestos Containing Products*, Edited Appellate Body Report (2000), paras. 1-154.

4 - 14

5) Anti-Dumping Laws

Trebilcock, *op. cit.*, Chapter 6

WTO, *United States - Continued Dumping and Subsidy Offset Act of 2000*, Appellate Body Report Summary (2002).

5 - 1

WTO, *United States - Continued Dumping and Subsidy Offset Act of 2000*, Recourse to Arbitration by the United States under DSU Article 22.6 Summary (2004).

5 - 17

6) Subsidies and Countervailing Duties

Trebilcock, *op. cit.*, Chapter 7

Andrew Green and Michael Trebilcock, "The Enduring Problem of World Trade Organization Export Subsidies Rules," in Kyle Bagwell, George Bermann, and Petros C. Mavroidis, eds., *Law and Economics of Contingent Protection in International Trade*, (New York: Cambridge University Press, 2010): 116-169.

6 - 1

Certain Softwood Lumber Products from Canada, Decision of the Binational Panel of Remand (1993)

6 - 27

Certain Softwood Lumber Products from Canada, Extraordinary Challenge Committee (1994), views of Dissenting Member Wilkey

6 - 46

"Indepth: Softwood Lumber Dispute," *CBC News Online* (28 April 2006), http://www.cbc.ca/news/background/softwood_lumber/.

6 - 51

Karen Cross, "King Cotton, Developing Countries and the 'Peace Clause': The WTO's US Cotton Subsidies Decisions," 9 *Journal of International Economic Law* (2006): 149-195.

6 - 56

Brendan McGivern, *WTO Appellate Body Report: United States – Subsidies on Upland Cotton*, Summary (2008).

6 - 103

VOLUME 2**7) Safeguards and Adjustment Assistance**

Trebilcock, *op. cit.*, Chapter 8

A. Sykes, "The Persistent Puzzles of Safeguards: Lessons from the Steel Dispute" 2004 *7 Journal of International Economic Law* 523.

7 - 1

WTO, *United States – Safeguard Measures on Imports of Fresh, Chilled, and Frozen Lamb Meat from New Zealand and Australia*, Report of the Appellate Body (2001)

7 - 26

8) Trade in Agriculture

Trebilcock, *op. cit.*, Chapter 9

Masayoshi Honma, "Agricultural Issues in the Doha Development Agenda Negotiations," in *The WTO in the Twenty-First Century: Dispute Settlement, Negotiations and Regionalism in Asia* (Cambridge: WTO/Cambridge University Press, 2007): 328-40.

8 - 1

Tracey D. Epps and Michael J. Trebilcock, "Special and Differential Treatment in Agricultural Trade: Breaking the Impasse" (June 11, 2008).

8 - 8

Brett Williams, "Did the G20 leaders realize what they are endorsing? The WTO Doha Round and agricultural liberalization. How did we get into such a mess?"

8 - 62

9) Trade in Services

Trebilcock, *op. cit.*, Chapter 10

Simon Lester and Bryan Mercurio with Arwel Davies and Kara Leitner, *World Trade Law: Text, Materials and Commentary* (Portland: Hart Publishing 2008), 597-631.

9 - 1

WTO, *GATS — Fact and Fiction* (2001), a booklet published by the WTO Secretariat

9 - 19

WTO, *United States - Measures Affecting the Cross-Border Supply of Gambling and Betting Services: Recourse to Article 21.5 of the DSU by Antigua and Barbuda*. Report of the Appellate Body , sections 1-2.2, 6.

9 - 36

10) Trade-Related Intellectual Property Rights (TRIPS)

Trebilcock, *op. cit.*, Chapter 12

WTO, *Canada-Patent Protection of Pharmaceutical Products*, Report of Panel (2000)

10 - 1

WTO – "Declaration on the TRIPS Agreement and Public Health," Ministerial Declaration, WT/MIN (01)/DEC/W/2, 14 November 2001

10 - 31

WTO – "Implementation of paragraph 6 of the Doha Declaration on the TRIPS

10 - 33

Agreement and public health,” Decision of the General Council, WT/L/540, 8/30/2003

Alan Sykes, “TRIPS, Pharmaceuticals, Developing Countries and the Doha ‘Solution,’” *Chicago Journal of International Law* 3 (2002): 47-68 10 - 38

Peter Drahos and John Braithwaite, *Information Feudalism* (New York: New Press, 2003) 5-13, 61-73, 137-149. 10 - 50

VOLUME 3

11) Trade-Related Investment Measures (TRIMS)

Trebilcock, *op. cit.*, Chapter 11

Elhanan Helpman, *Understanding Global Trade* (Cambridge, Massachusetts: The Belknap Press of Harvard University Press, 2011) 126-165. 11 - 1

Stephen Clarkson, “Systemic or Surgical? Possible Cures for NAFTA’s Investor-State Dispute Process,” *Canadian Business Law Journal* 36 (2002): 368-87 11 - 21

Julie Soloway, “NAFTA’s Chapter 11: Investor Protection, Integration, and the Public Interest” in John Kirton & Peter Hajnal, eds., *Sustainability, Civil Society and International Governance: Local, North American and Global Contributions* (Ashgate: Hampshire 2006): 137-176. 11 - 31

Chris Tollefson, “NAFTA’s Chapter 11: The Case for Reform” in John Kirton & Peter Hajnal, eds., *Sustainability, Civil Society and International Governance: Local, North American and Global Contributions* (Ashgate: Hampshire 2006): 177-190. 11 - 50

Howard Mann, “The Final Decision in *Methanex v. United States*: Some New Wine in Some New Bottles,” *International Institute for Sustainable Development* (August 2005). 11 - 57

12) Trade, Health and Safety

Trebilcock, *op. cit.*, Chapter 13

Cary Coglianese, Adam Finkel, and David Zaring, “Consumer Protection in an Era of Globalization,” in Cary Coglianese, Adam Finkel, and David Zaring, eds., *Import Safety: Regulatory Governance in the Global Economy*, (Philadelphia: University of Pennsylvania Press, 2009): 3-21. 12 - 1

Tracey Epps and Michael J. Trebilcock, “Import Safety Regulation and International Trade,” in Cary Coglianese, Adam Finkel, and David Zaring, eds., *Import Safety: Regulatory Governance in the Global Economy*, (Philadelphia: University of Pennsylvania Press, 2009): 69-87. 12 - 11

WTO, *EC Measures Concerning Meat and Meat Products (Hormones)*, Report of the 12 - 21

Appellate Body (1997).

Brendan McGivern, “WTO Appellate Body Report: United States – Continued Retaliation in the Hormone Dispute,” (October 2008).

12 - 75

WTO, *United States - Measures Affecting the Production and Sale of Clove Cigarettes*, Appellate Body Report Summary (2012)

12 - 82

WTO, *United States- Measures Concerning the Importation, Marketing and the Sale of Tuna and Tuna Products*, Appellate Body Report Summary (2012).

12- 108

WTO, *United States- Certain Country of Origin Labelling (COOL) Requirements*, Appellate Body Report Summary (2012).

12- 131

13) Trade and the Environment

Trebilcock, *op. cit.*, Chapter 14

WTO, *United States – Import Prohibition of Certain Shrimp and Shrimp Products*, Edited Report of the Appellate Body (1998).

13 - 1

WTO, *United States – Import Prohibition of Certain Shrimp and Shrimp Products*, Recourse to Article 21.5 of the DSU by Malaysia (2002), paras. 1-11 and 79-154.

13 - 38

WTO, *Brazil – Measures Affecting Imports of Retreaded Tyres*, Report of the Appellate Body (2007).

13 - 76

“Appellate Body Reports Canada- Certain Measures Affecting the Renewable Energy Generation Sector / Canada- Measures Relating to the Feed-In Tariff Program (WT/DS412/AB/R, WT/DS426/AB/R)”, online: World Trade Law <[http://www.worldtradelaw.net/dsc/ab/canada-renewableenergy\(dsc\)\(ab\).pdf](http://www.worldtradelaw.net/dsc/ab/canada-renewableenergy(dsc)(ab).pdf)

13 - 139

Appendix

The General Agreement on Tariffs and Trade

A - 1

